

House File 304 - Introduced

HOUSE FILE 304

BY T. TAYLOR

A BILL FOR

1 An Act relating to civil penalties for citations issued as
2 a result of the use of automated traffic law enforcement
3 systems.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 06A. *“Automated traffic law enforcement*
4 *system”* means a device with one or more sensors working in
5 conjunction with one of the following:

6 a. An official traffic-control signal, to produce recorded
7 images of motor vehicles entering an intersection against a red
8 signal light.

9 b. A speed measuring device, to produce recorded images of
10 motor vehicles traveling at a prohibited rate of speed.

11 c. A railroad grade crossing signal light, as described in
12 section 321.342, to produce images of vehicles violating the
13 signal light.

14 d. Any official traffic-control device, if failure to comply
15 with the official traffic-control device constitutes a moving
16 violation under this chapter.

17 Sec. 2. NEW SECTION. 321.237A Automated traffic law
18 enforcement systems — civil penalties — uniform citations.

19 1. A penalty imposed by a local authority as a result of the
20 use of an automated traffic law enforcement system shall be a
21 civil penalty.

22 2. The amount of a civil penalty imposed by a local
23 authority as a result of the use of an automated traffic law
24 enforcement system for an offense which would be punishable by
25 a scheduled fine under section 805.8A, subsection 5, 7, or 8,
26 shall be equal to the amount of the applicable scheduled fine.

27 Sec. 3. Section 331.307, subsection 1, Code 2015, is amended
28 to read as follows:

29 1. A county infraction is a civil offense and, except as
30 provided in section 321.237A, subsection 2, is punishable by a
31 civil penalty of not more than seven hundred fifty dollars for
32 each violation or if the infraction is a repeat offense a civil
33 penalty not to exceed one thousand dollars for each repeat
34 offense.

35 Sec. 4. Section 364.3, subsection 6, Code 2015, is amended

1 to read as follows:

2 6. A Except as provided in section 321.237A, subsection 2,
3 a city shall not provide a civil penalty in excess of seven
4 hundred fifty dollars for the violation of an ordinance which
5 is classified as a municipal infraction or if the infraction is
6 a repeat offense, a civil penalty not to exceed one thousand
7 dollars for each repeat offense. A municipal infraction is not
8 punishable by imprisonment.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to civil penalties for citations issued
13 as the result of the use of automated traffic law enforcement
14 systems.

15 The bill defines "automated traffic law enforcement system"
16 as a device with one or more sensors working in conjunction
17 with an official traffic-control signal, a speed measuring
18 device, a railroad grade crossing signal light, or any other
19 official traffic-control device.

20 The bill provides that a penalty imposed by a local authority
21 as a result of the use of an automated traffic law enforcement
22 system shall be a civil penalty, and, for certain offenses,
23 the amount of the penalty shall be equal to the amount of the
24 scheduled fine applicable under state law to the offense for
25 which the citation was issued.